




**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA**






CHANEL, INC., a New York Corporation,)	
)	CASE NO. 1:24-CV-00114-JB-M
)	
Plaintiff,)	
)	
v.)	
)	
DANYELL BENNETT PETTWAY)	
d/b/a 1 OF A KIND DIVA)	
BOUTIQUE,)	
)	
Defendant.)	



CONSENT FINAL JUDGMENT AND PERMANENT INJUNCTION

Plaintiff Chanel, Inc. (“Plaintiff” or “Chanel”) and Defendant, Danyell Bennett Pettway d/b/a 1 of a kind Diva boutique (“Defendant”) (collectively, the “Parties”), acting by and through counsel on the Joint Motion for Entry of Consent Final Judgment and Permanent Injunction (the “Motion”) [Doc. 14], stipulate to this judgment and permanent injunction upon consent (the “Judgment”) as follows:

WHEREAS, Chanel owns the registered trademarks under the marks , ,  and CHANEL as identified in Paragraph 23 of Chanel’s Complaint and identified below: Chanel is the owner of the following trademarks (collectively, the “Chanel Marks”):

Trademark	Registration Number	Registration Date	Classes/Goods
CHANEL	0,626,035	May 1, 1956	IC 018 - Women’s Handbags
CHANEL	0,902,190	November 10, 1970	IC 014 - Bracelets, Pins, and Earrings
CHANEL	1,177,400	November 10, 1981	IC 025 - Hats, Shawls and Belts

	1,241,264	June 7, 1983	IC 025 - Suits, Jackets, Skirts, Dresses, Pants, Blouses, Tunics, Sweaters, Cardigans, Tee-Shirts, Coats, Raincoats, Scarves, Shoes and Boots
CHANEL	1,241,265	June 7, 1983	IC 025 - Suits, Jackets, Skirts, Dresses, Pants, Blouses, Tunics, Sweaters, Cardigans, Coats, Raincoats, Scarves, Shoes and Boots
	1,314,511	January 15, 1985	IC 018 - Leather Goods-Namely, Handbags
CHANEL	1,347,677	July 9, 1985	IC 018 - Leather Goods-Namely, Handbags
	1,501,898	August 30, 1988	IC 006 - Keychains IC 014 - Costume Jewelry IC 025 - Blouses, Shoes, Belts, Scarves, Jackets, Men's Ties IC 026 - Brooches and Buttons for Clothing
CHANEL	1,733,051	November 17, 1992	IC 018 - Leather Goods; namely, Handbags, Wallets, Travel Bags, Luggage, Business and Credit Card Cases, Change Purses, Tote Bags, Cosmetic Bags Sold Empty, and Garment Bags for Travel
	1,734,822	November 24, 1992	IC 018 - Leather Goods; namely, Handbags, Wallets, Travel Bags, Luggage, Business Card Cases, Change Purses, Tote Bags, and Cosmetic Bags Sold Empty
RUE CAMBON	2,964,843	July 5, 2005	IC 018 - Handbags
	3,025,936	December 13, 2005	IC 009 - Eyeglass Frames, Sunglasses IC 025 - Gloves, Swimwear IC 026 - Hair Accessories, namely, Barrettes
CHANEL	3,133,139	August 22, 2006	IC 014 - Jewelry and Watches

CHANEL	3,134,695	August 29, 2006	IC 009 - Eyeglass Frames, Sunglasses, Sunglass Parts, Cases For Spectacles and Sunglasses IC 025 - Swimwear, Stockings IC 026 - Hair Accessories, Namely, Barrettes IC 028 - Bags Specially Adopted For Sports Equipment, Tennis Rackets, Tennis Balls, Tennis Racket Covers
N°5	3,149,203	September 26, 2006	IC 014 - Jewelry
CHANEL	3,890,159	December 14, 2010	IC 009 - Cases for Telephones IC 018 - Key Cases
	4,074,269	December 20, 2011	IC 009 - Protective Covers for Portable Electronic Devices, Handheld Digital Devices, Personal Computers and Cell Phones IC 018 - Key Cases
	4,241,822	November 13, 2012	IC 025 - For Clothing, namely, Coats, Jackets, Dresses, Tops, Blouses, Sweaters, Cardigans, Skirts, Vests, Pants, Jeans, Belts, Swim Wear, Pareos, Hats, Scarves, Ties, Gloves, Footwear, Hosiery

WHEREAS, the Parties have amicably resolved their dispute to each of their satisfaction;
and

WHEREAS, based upon Chanel's good faith prior use of the Chanel Marks, Chanel has superior and exclusive rights in and to the Chanel Marks in the United States and any confusingly similar name or mark.⁶⁷⁸

IT IS STIPULATED, ORDERED, ADJUDGED AND DECREED that:

1. The Parties' Motion [Doc. 14] is hereby GRANTED.
2. The Defendant, and its officers, agents, representatives, servants, and employees, and all persons in active concert and participation with Defendant via (i) any Facebook page,

including, but not limited to the Facebook pages operating under the names “Danyell Bennett Pettway,” and “1 of a kind Diva boutique,” and “24/7 Go Live”; (ii) the “divatimenow” Instagram and TikTok account; and (iii) any other associated platforms, accounts, websites, and/or domain names not specifically identified herein, are hereby permanently restrained and enjoined from intentionally and/or knowingly:

A. manufacturing or causing to be manufactured, importing, displaying, advertising, or promoting, distributing, selling or offering to sell counterfeit and/or infringing goods bearing the Chanel Marks;

B. using the Chanel Marks, or any mark or trade dress similar thereto, in connection with the sale of any unauthorized goods;

C. using any logo, trade name, trademark, or trade dress which may be calculated to falsely advertise the services or products of Defendant as being sponsored by, authorized by, endorsed by, or in any way associated with Plaintiff;

D. falsely representing Defendant as being connected with the Plaintiff, through sponsorship or association,

E. engaging in any act which is likely to falsely cause members of the trade and/or of the purchasing public to believe any goods or services of Defendant are in any way endorsed by, approved by, and/or associated with Plaintiff;

F. using any reproduction, counterfeit, infringement, copy, or colorable imitation of the Chanel Marks in connection with the publicity, promotion, sale, or advertising of any goods sold by Defendant, including, without limitation, clothing, including handbags, scarves, hats, clothing, and other goods;

G. affixing, applying, annexing, or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent Defendant's goods as being those of Plaintiff, or in any way endorsed by Plaintiff, and from offering such goods in commerce; and

H. otherwise unfairly competing with Plaintiff;

I. secreting, destroying, altering, removing, or otherwise dealing with the unauthorized products or any books or records which contain any information relating to the importing, manufacturing, producing, distributing, circulating, selling, marketing, offering for sale, advertising, promoting, or displaying of all unauthorized products which infringe the Chanel Marks; and

J. effecting assignments or transfers, forming new entities or associations or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth in subparagraphs (A) through (I).

3. Plaintiff shall have the right to seek sanctions for contempt, compensatory damages, injunctive relief, attorneys' fees, costs, and such other relief deemed proper in the event of a violation or failure by Defendant to comply with any of the provisions hereof. The prevailing party in any such proceeding shall be entitled to recover its attorney's fees and costs.

4. The Parties shall each bear their own attorney's fees and costs incurred in connection with this action.

5. All products bearing one or more of the Chanel Marks at issue currently in the possession, custody and/or control of the Defendant shall be surrendered to Chanel and destroyed at the direction of Chanel.

6. Any pending motions are **DENIED** as moot.

DONE and ORDERED this 10th day of October, 2024.

/s/ JEFFREY U. BEAVERSTOCK
CHIEF UNITED STATES DISTRICT JUDGE

CONSENTED TO BY THE FOLLOWING COUNSEL OF RECORD:

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Pettway d/b/a 1 of a kind Diva boutique*